

APPENDIX 1

Religion of the State, Source Law, and Repugnancy Clause
Provisions among Muslim-Majority Countries

Country	Year of Constitution (Most recent Amendment)	Religion of State Provision	Source Law or Repugnancy Provision
Afghanistan	2004	Article 2: "The sacred religion of Islam is the religion of the Islamic Republic of Afghanistan ..."	Article 130: "In cases under consideration, the courts shall apply provisions of this Constitution as well as other laws. If there is no provision in the Constitution or other laws about a case, the courts shall, in pursuance of Hanafi jurisprudence, and, within the limits set by this Constitution, rule in a way that attains justice in the best manner"
Algeria	1989 (2008)	Article 2: "Islam shall be the religion of the State."	Article 9: "The institutions shall not indulge in: [...] practices contrary to Islamic morals and the values of the November Revolution"
Bahrain	2002 (2012)	Article 2: "The religion of the State is Islam ..."	Article 2: "... The Islamic Shari'a is a principal source for legislation ..."
Bangladesh	1972 (2014)	Article 2A: "The state religion of the Republic is Islam ..."	None
Brunei Darussalam	1956 (2006)	Part II (3.1): "The official religion of Brunei Darussalam shall be the Islamic Religion ..."	None
Comoros	2001 (2009)	Preamble: "The Comorian people solemnly affirm their will to draw from Islam, the religion of the state, the permanent inspiration of the principles and rules that govern the Union"	Preamble: "The Comorian people solemnly affirm their will to draw from Islam, the religion of the state, the permanent inspiration of the principles and rules that govern the Union"
Djibouti	1992 (2010)	Article 1: "Islam is the Religion of the State ..."	None
Egypt	2014	Article 2: "Islam is the religion of the State ..."	Article 2: "... Islamic jurisprudence is the principal source of legislation"

Iran	1979 (1989)	Article 12: "The official religion of Iran is Islam and the Twelver Ja'farī school ... and this principle will remain eternally immutable ..."	Preamble: "... Legislation setting forth regulations for the administration of society will revolve around the Qur'an and the Sunnah ..."
Iraq	2005	Article 2: "Islam is the official religion of the State ..."	Article 2: "Islam is the official religion of the State and is a foundation source of legislation: A. No law may be enacted that contradicts the established provisions of Islam B. No law may be enacted that contradicts the principles of democracy. C. No law may be enacted that contradicts the rights and basic freedoms stipulated in this Constitution"
Jordan	1952 (2016)	Article 2: "Islam is the religion of the State and Arabic is its official language"	Article 105: "The Sharia Courts alone shall have the jurisdiction – in accordance with their own laws – in ... Matters of personal status of Moslems ..."; Article 106: "Sharia Courts shall in their jurisdiction apply the provisions of the Sharia"
Kuwait	1962 (1992)	Article 2: "The religion of the State is Islam and Islamic Law shall be a main source of legislation"	None
Libya	2011 (2012)	Article 1: "Islam shall be its religion ..."	Article 1: "Islamic Shari'a shall be the main source of legislation ..."
Malaysia	1957 (2007)	Article 3 (1): "Islam is the religion of the Federation ..."	None; but Schedule 9, List 2 of the Malaysian Constitution details specific areas of law that fall under the purview of state-level religious councils and shariah courts.

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Maldives	2008	Article 10 (a): "The religion of the State of the Maldives is Islam ..." Article 10 (a): "The religion of the State of the Maldives is Islam ..." Article 10 (b): "No law contrary to any tenet of Islam shall be enacted in the Maldives" Also see Article 70 (b) and Article 142	Article 10 (a): "... Islam shall be the one of the [sic] basis of all the laws of the Maldives"; Article 10 (b): "No law contrary to any tenet of Islam shall be enacted in the Maldives" Also see Article 70 (b) and Article 142
Mauritania	1991 (2012)	Article 5: "Islam is the religion of the people and of the State"	None
Morocco	2011	Article 3: "Islam is the religion of the State ..."	None
Oman	1996 (2011)	Article 2: "The religion of the State is Islam ..."	Article 2: "... Islamic Sharia is the basis for legislation"
Pakistan	1973 (2015)	Article 2: "Islam shall be the State religion of Pakistan"	Article 227 (1): "All existing laws shall be brought in conformity with the Injunctions of Islam as laid down in the Holy Quran and Sunnah, in this part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions" Also see Articles 203D, 203DD, and 230
Qatar	2003	Article 1: "Qatar is an Arab State, sovereign and independent. Its religion is Islam ..."	Article 1: "... Islamic Law is the main source of its legislations ..."
Saudi Arabia	1992 (2013)	General Principles: Article 1: "The Kingdom of Saudi Arabia is a sovereign Arab Islamic State. Religion: Islam ..."	Article 1: "Constitution: The Holy Qur'an and the Prophet's Sunnah (traditions)"; Article 7: "The regime derives its power from the Holy Qur'an and the Prophet's Sunnah which rule over this and all other State Laws"; Also see Articles 8, 23, 26, 48

Somalia	2012	Article 2.1: "Islam is the religion of the State"	Article 2.3: "No law which is not compliant with the general principles of Shari'ah can be enacted"; Article 3.1: "The Constitution of the Federal Republic of Somalia is based on the foundations of the Holy Quran and the Summa of our prophet Mohamed (PBUH) and protects the higher objectives of Shari'ah and social justice"; Article 4.1: "After the Shari'ah, the Constitution of the Federal Republic of Somalia is the supreme law of the country. It binds the government and guides policy initiatives and decisions in all departments of government"
Sudan	2005	None	Article 5.1: "... the Northern states of the Sudan shall have as its sources of legislation Islamic Sharia and the consensus of the people"
Syria	2012	None	Article 3: "... Islamic jurisprudence shall be a major source of legislation ..."
Tunisia	2014	Article 1: "Tunisia is a free, independent, sovereign state; its religion is Islam, its language Arabic, and its system is republican"	None
United Arab Emirates	1971 (2009)	Article 7: "Islam is the official religion of the UAE ..."	Article 7: "... The Islamic Shari'a is a main source of legislation in the UAE ..."
Yemen	2001 (2015 draft)	Article (2): "Islam is the religion of the state ..."	Article (4): "Islamic Shari'ah is the source of legislation ..."

Data Source: The Comparative Constitutions Project www.constituteproject.org/ last accessed September 28, 2017.